IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 18TH JUNE 2007 / 28TH JYAISHTA 1929

Bail Appl..No. 3556 of 2007()

CRMP.1962/2007 of J.M.F.C.,THIRUVALLA
CRIME NO.16/07 OF EXCISE RANGE, MALLAPILLY.

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PETITIONER/ACCUSED

ANILKUMAR T.G., AGED 39,
S/O.GOPALAKRISHNAN, PATTATHIL VEEDU,
VENNIKKULAM P.O., VALANKARA, PATHANAMTHITTA.

BY ADV. SRI.C.P.UDAYABHANU

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
EXCISE INSPECTOR, (CR.16/07 EXCISE RANGE
MALLAPPILLY), REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 3556 of 2007

Dated this the 18th day of June, 2007

ORDER

The petitioner faces the allegation of having violated the provisions under the Kerala Abkari Act. He was allegedly found to be in possession of 20 litres of arrack on 18/5/07. He surrendered on 5/6/07. Investigation is in progress. Final report has not been filed.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said application on condition that the Investigation is granted reasonable further time, considering gravity of the allegations, to complete the investigation and I am satisfied that the petitioner can be directed to be released on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) This application is allowed. Following directions are

issued under Sec.438 of the Cr.P.C:

(i) The petitioner shall not be released from custody on the strength of this order prior to 5/7/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation. This order shall not in any way fetter the powers of the Superintendent of Prison to permit the petitioner now to attend the funeral of his deceased brother as per the rules.

(ii) The petitioner shall execute a bond for Rs.50,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon until further orders.

Sd/-

(R. BASANT, JUDGE)

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P.S. to Judge